

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JEREMY JOSEPH STROHMEYER.

Case No. 3:14-cv-00661-RCJ-WGC

Plaintiff,

ORDER

v

K. BELANGER et al.,

Defendants.

15 Plaintiff has filed a motion for reconsideration on this Court's screening order. (See
16 ECF Nos. 44, 49). A motion to reconsider must set forth "some valid reason why the court
17 should reconsider its prior decision" and set "forth facts or law of a strongly convincing
18 nature to persuade the court to reverse its prior decision." *Frasure v. United States*, 256
19 F.Supp.2d 1180, 1183 (D. Nev. 2003). Reconsideration is appropriate if this Court "(1) is
20 presented with newly discovered evidence, (2) committed clear error or the initial decision
21 was manifestly unjust, or (3) if there is an intervening change in controlling law." *Sch.
22 Dist. No. 1J v. Acands, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993). "A motion for
23 reconsideration is not an avenue to re-litigate the same issues and arguments upon which
24 the court already has ruled." *Brown v. Kinross Gold, U.S.A.*, 378 F.Supp.2d 1280, 1288
25 (D. Nev. 2005).

26 The Court has reviewed the motion for reconsideration (ECF No. 49), screening
27 order (ECF No. 44), and second amended complaint (ECF No. 33). The Court finds that
28 the motion for reconsideration is without merit because the Court did commit clear error

1 and Plaintiff's alleged "new evidence" does not change anything. As such, the Court
2 denies the motion for reconsideration.

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4 DATED THIS 24 day of July 2018.

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UNITED STATES DISTRICT JUDGE